

MINUTES
REGULAR MEETING

Of the City Council of the Town of Colma
City Hall, 1198 El Camino Real
Colma, CA 94014

Wednesday, March 9, 2005
7:30 p.m.

PLEDGE OF ALLEGIANCE - CALL TO ORDER

ROLL CALL –Mayor Philip J. Lum, Jr. called the Regular Meeting of the City Council for the Town of Colma to order at 7:54 pm.

Council Present – Mayor Philip Lum, Vice Mayor Helen Fisicaro and Council Members Joseph Silva, Frossanna Vallergera and Larry Formalejo.

Staff Present: – City Manager Diane McGrath, Chief of Police Robert Lotti, City Attorney Roger Peters, City Engineer Rick Mao, City Planner, Malcolm Carpenter, Recreation Manager Brian Dossey, Deputy City Planner Andrea Ouse, and Deputy City Clerk Anita Landis Thorsnes.

Also Present – City Treasurer, Rae Gonzalez.

PUBLIC COMMENTS

No comments.
Closed to public.

CONSENT CALENDAR

Item 4 was pulled from the Consent Calendar and Continued to next meeting.

Item 5 was pulled, for discussion and revisions, and replaced on the Consent Calendar prior to the vote.

1. Motion to Accept Minutes of February 9, 2005 Regular City Council Meeting
2. Motion to Approve Warrants List for February 1-28, 2005
3. Motion to Accept Records Management Status Report and Approve Revisions to Finance and Human Resource Retention Schedules
4. *Continued to next meeting.* Motion to Adopt Resolution Amending Eligibility for Attendance at Adult Party and Naming the Colma Historical Park and Community Center. *No action taken.*
5. Motion to Adopt Resolution 2005-14 RESOLUTION ESTABLISHING CRITERIA FOR EMPLOYEE RECOGNITION PROGRAM

Comment [RCP1]: Minutes - Anita

6. Motion to Adopt Ordinance 626 AMENDING THE GROUNDS FOR DENIAL, REVOCATION OR SUSPENSION OF REGISTRATION PERMITS FOR GAMBLING ESTABLISHMENT EMPLOYEES AND PROVIDING FOR APPEALS FROM THOSE DECISIONS – ***second reading***
7. Motion to Adopt Resolution 2005-15 RESOLUTION SUPPORTING THE SELF-ANCHORED SUSPENSION BRIDGE DESIGN FOR THE SAN FRANCISCO-OAKLAND BAY BRIDGE

Action: On motion of Helen Fiscaro to approve, seconded by Frossanna Vallerga, and carried, the COUNCIL APPROVED ITEMS 1,2,3,5,6 & 7 of the CONSENT CALENDAR by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|--------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fiscaro | ✓ | | | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallerga | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 5 | 0 | | | |

PUBLIC HEARINGS

8. **Consider:** Mitigated Negative Declaration, General Plan Amendment, Zoning Amendment, Lot Line Adjustment and Easement Dedication, Use Permit, Tree Permit, and Design Review for Auxiliary Parking Lot at Lucky Chances, 1680 Hillside Boulevard (APN 011-341-650)

Report: City Planner Mac Carpenter gave the report and recommended that the Council approve the Mitigated Negative Declaration and De Minimis Finding, make the findings set forth therein and approve a General Dedication, Use Permit, Tree Permit, and Design Review for an auxiliary parking lot at 1680 Hillside Boulevard (APN 011-341-650)

Open to Public comments.

Michael Franchetti, Counsel for Lucky Chances.
Closed to public.

Action: On motion to approve by Frossanna Vallergera, seconded by Joseph Silva, and carried, the Council adopted Resolution 2005-16 RESOLUTION APPROVING THE MITIGATED NEGATIVE DECLARATION AND DE MINIMIS FINDINGS FOR LUCKY CHANCES EMPLOYEE PARKING LOT AT 1680 HILLSIDE BOULEVARD (APN 011-341-650) by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|----------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fiscaro | | | ✓ | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallergera | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 4 | 0 | | | |

Action: On motion to approve by Joseph Silva, seconded by Larry Formalejo, and carried, the Council adopted Resolution 2005-17 RESOLUTION APPROVING A LOT LINE ADJUSTMENT TRANSFERRING APPROXIMATELY 1.274 ACRES FROM APN 011-341-065 TO APN 011-341-720 (1680 HILLSIDE BLVD.) AND ACCEPTING A 10' SIDEWALK AND PUBLIC UTILITY EASEMENT ALONG HILLSIDE BOULEVARD by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|----------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fiscaro | | | ✓ | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallergera | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 4 | 0 | | | |

Action: On motion to approve by Joseph Silva, *contingent upon owner providing shuttle service and lighting*, seconded by Larry Formalejo, and carried, the Council adopted Resolution 2005-18 RESOLUTION APPROVING A GENERAL PLAN AMENDMENT, USE PERMIT, TREE PERMIT & DESIGN REVIEW FOR A NEW PARKING LOT LOCATED AT 1680 HILLSIDE BOULEVARD (APN 011-341-650) by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|----------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fiscaro | | | ✓ | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallergera | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 4 | 0 | | | |

Resolution 2005-18 will reflect Council's revisions and appear on next month's Consent Calendar for final approval.

Action: Motion to approve by Joseph Silva, seconded by Larry Formalejo, and carried the Council Introduced Ordinance 627 AMENDING THE COLMA MUNICIPAL CODE TO PROVIDE FOR AMENDMENTS TO THE TOWN OF COLMA DECEMBER 2003 ZONING MAP by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|----------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fiscaro | | | ✓ | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallergera | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 4 | 0 | | | |

Action: Motion to approve by Joseph Silva, seconded by Larry Formalejo, and carried the Council Approved Reading Ordinance By Title Only by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|----------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fiscaro | | | ✓ | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallergera | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 4 | 0 | | | |

The Title was read by Joseph Silva

9. **Consider:** Negative Declaration El Camino Real & Mission Road Intersection, CIP # 904

Report: Deputy City Planner Andrea Ouse gave the report and recommended that the Council adopt a resolution. Approving the Mitigated Negative Declaration and De Minimis Finding

Open to public comments.
No comment.

Closed to public.

Council directed staff to conduct a habitat study; establish hours of construction; and require construction crews to stop work and allow funeral processions to pass through.

Action: On motion to approve by Helen Fisicaro, seconded by Frossanna Vallerga, and carried, the Council approved Resolution 2005-19 RESOLUTION APPROVING MITIGATED NEGATIVE DECLARATION AND DE MINIMIS FINDING FOR THE EL CAMINO REAL/MISSION ROAD INTERSECTION IMPROVEMENTS CIP PROJECT 904 by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|--------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fisicaro | ✓ | | | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallerga | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 5 | 0 | | | |

10. **Consider:** Home Office Use Permit to Allow Wholesale Cigarette Business at 435 C Street (Naser)

Report: Deputy City Planner Andrea Ouse gave the report and recommended that the Council make the findings set forth therein and grant a Conditional Use Permit to operate a home office for a wholesale cigarette business, subject to standard and project specific conditions,

Council Members Silva and Lum excused themselves from the dais and left the room, due to the proximity of their residences being within 500 feet of the Applicant's address.

Helen Fisicaro called for public comments.

No comments.

Closed to public.

Action: On motion of Frossanna Vallergera to approve *with certain constraints*, seconded by Larry Formalejo, and carried, the Council adopted Resolution 2005-20 RESOLUTION APPROVING CONDITIONAL USE PERMIT TO USE PROPERTY AT 435 C STREET, UNIT 3, FOR A HOME OFFICE by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|----------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | | | | ✓ | |
| Helen Fisicaro | ✓ | | | | |
| Joseph Silva | | | | ✓ | |
| Frossanna Vallergera | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 3 | 0 | | | |

Resolution 2005-20 will reflect Council's direction, and appear on next month's Consent Calendar for final approval.

Council Members Lum and Silva returned to the dais.

OLD BUSINESS

11. **Consider:** Gateway, Park and Street Sign Program

Due to technical difficulties, Council voted unanimously to Continue this Item to next month's meeting.

NEW BUSINESS

12. **Consider:** Monitoring System Installation at Police Facility

Report: City Engineer Rick Mao gave the report and recommended that the Council authorize the Mayor to enter into a contract with AEC Alarms for the purchase and installation of a Security System for monitoring and recording purposes for the New Police Facility in the amount of not-to-exceed \$130,012.25.

Action: On motion of Joseph Silva to approve, seconded by Helen Fisicaro, and carried, the Council adopted Resolution 2005-21 RESOLUTION APPROVING CONTRACT WITH AEC ALARMS FOR A MONITORING, RECORDING, ALARM AND SECURITY SYSTEM FOR THE COLMA POLICE STATION by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|--------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fisicaro | ✓ | | | | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallerga | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 5 | 0 | | | |

13. **Consider:** Venue and Date for 2005 Annual Town Picnic

Report: Recreation Services Manager Brian Dossey gave the report and requested that the City Council select between two proposed locations for the 2005 Town Picnic and two or three possible dates for the picnic.

Open to public comments.
Pat Hatfield, 457 D Street.

Closed to public.

Council directed staff to secure Saratoga Springs on Saturday June 11, 2005.

14. **Consider:** Filling Vacancy on Colma Fire Authority Board

Vice Mayor Fiscaro excused herself from the dais and left the room due to a possible conflict of interest because her husband works for the Colma Fire District.

Report: City Attorney Roger Peters gave the report and recommended that the Council consider appointing one of its members as director to the Colma Fire Protection Authority [JPA].

Council Member Formalejo offered to nominate Council Member Vallergera to the vacant seat. Council Member Vallergera declined the nomination.

Mayor Lum withdrew his resignation.

Action: On motion to approve by Larry Formalejo, seconded by Joseph Silva, and carried, the COUNCIL APPOINTED PHILIP LUM TO THE COLMA FIRE AUTHORITY BOARD by the following vote:

| Name | Voting | | Present, Not Voting | | Absent |
|----------------------|--------|----|---------------------|-------------------|--------|
| | Aye | No | Abstain | Not Participating | |
| Philip J. Lum, Jr. | ✓ | | | | |
| Helen Fiscaro | | | | ✓ | |
| Joseph Silva | ✓ | | | | |
| Frossanna Vallergera | ✓ | | | | |
| Claro Formalejo | ✓ | | | | |
| Voting Tally | 4 | 0 | | | |

Council Member Fiscaro returned to the dais.

COUNCIL CALENDARING

Council Workshop: TBD

Regular Council Mtg: April 13, 2005 7:30 pm

REPORTS:

If Council Workshop falls on 3/19, Council directed Chief Lotti or Cmdr Hart to represent the Town.

ADJOURNMENT

The Regular Meeting was closed in memory of Robert McAdams at 9:37 pm.

Respectfully Submitted,

Anita Landis Thorsnes

Anita Landis Thorsnes

Deputy City Clerk

Approved by Council April 13, 2005